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*Attorneys for Plaintiff
Abigail Ortiz*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ABIGAIL ORTIZ, individually and on behalf of herself and all others similarly situated,

Plaintiff,

V.

SHAC LLC d/b/a SAPPHIRE
GENTLEMEN'S CLUB; and DOES 1 to
10.

Defendants.

Case No.: 2:20-CV-00621-GMN-BNW

Assigned to the Hon. Gloria M. Navarro

VOLUNTARY DISMISSAL BY STIPULATION

Complaint Filed: March 31, 2020

1 The parties to this action, acting through counsel, and pursuant to Federal Rule
2 of Civil Procedure 41(a)(1)(A)(ii), hereby stipulate, in consideration of a negotiated
3 settlement executed by them, to the dismissal with prejudice of this action, including
4 all claims and counterclaims stated herein against all parties, with each party to bear its
5 own attorneys' fees and costs. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii) (an action may be
6 dismissed at any time by "filing . . . a stipulation of dismissal signed by all parties who
7 have appeared."); *see* Judge Virginia A. Phillips, et al., *Federal Civil Procedure Before*
8 *Trial*, Calif. & 9th Cir. Editions § 16:339 (The Rutter Group 2021) ("This [voluntary
9 dismissal by stipulation] allows dismissal without court intervention after plaintiff's
10 unilateral right to dismiss has been extinguished by service of an answer or summary
11 judgment motion.") (citing *Hester Industries, Inc. v. Tyson Foods, Inc.*, 160 F.3d 911,
12 916 (2d Cir.1998)).

13 In addition, there has been no motion for class certification filed in this action,
14 thus no class has been certified, and it is not necessary to provide notice to the absent
15 putative class members. *See id.*, § 10:790 ("There is no requirement of judicial
16 approval for precertification dispositions. The reason is that absent class members
17 generally have no notice of uncertified class actions and therefore cannot be bound or
18 deemed to have relied thereon.") (citing Adv. Comm. Notes to 2003 Amendments to
19 Fed. R. Civ. P. 23).

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1 In consideration of the foregoing, the parties respectfully request that the Court
2 dismiss this action with prejudice.

3 **IT IS SO STIPULATED.**

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5 Dated: July 16, 2021

KAZEROUNI LAW GROUP, APC

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7 By: s/ Gustavo Ponce
8 *Attorneys for Plaintiff*

9 Dated: July 16, 2021

PARKER COLE, P.C.

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11 By: s/ Kevin J. Cole
12 *Attorneys for Plaintiff*

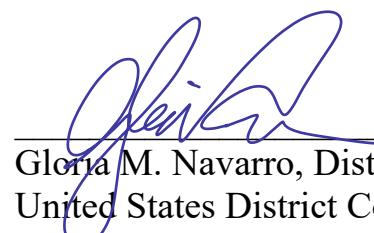
13
14 Dated: July 16, 2021

GREENBERG TRAURIG, LLP

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16 By: /s/ Alayne Opie
17 *Attorneys for Defendant*

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20 **IT IS SO ORDERED.**

21 Dated this 19 day of July, 2021.

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26 Gloria M. Navarro, District Judge
27 United States District Court